



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

September 30, 2021

Via Electronic Mail to Allen Baker at abaker@teainconline.com

Allen Baker, Environmental Specialist
Toxicological & Environmental Associates, Inc.
5597 US Hwy 98, Suite 201
Santa Rosa Beach
Florida 32459

Re: **SourceKill™**
FDEP Innovative Technology Application Number: 1947

Dear Mr. Baker:

The Florida Department of Environmental Protection's Division of Waste Management (Division) hereby accepts *SourceKill™* for use at contaminated sites remediation of groundwater and smear zone soil. *SourceKill™* consists of emulsified zero valent iron (EZVI) in the mix of vegetable oil and surfactant.

The enclosure contains regulatory information.

For in situ groundwater remediation, via direct injection of *SourceKill™* into an aquifer, in addition to the Remedial Action Plan requirements of Chapter 62-780, F.A.C., there are underground injection control regulations that must be observed. Since injection-type, in situ aquifer remediation is likely to be the most common application of *SourceKill™*, the bulk of the regulatory requirements discussed herein will be directed to that topic.

Although *SourceKill™* does not appear to leach to groundwater, vadose zone application of *SourceKill™* is not acceptable due to exceedances of the residential direct exposure soil cleanup target levels in *Cleanit-SI.10/ CleanER-10* which is included in the *SourceKill™* formulation

The Florida Department of Environmental Protection (FDEP) does not provide endorsement of specific or brand name products or processes, however, it does recognize the need to determine their acceptability from an environmental standpoint with respect to applicable rules and regulations, and the interests of public health safety. Vendors, upon receipt of an acceptance, must market their product or process on its merits regarding performance, cost, and safety in comparison to competing alternatives in the marketplace. This acceptance letter shall not be construed as either an approval of the product or a certification of its performance.

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SourceKill™

Additionally, Department acceptance of any product or process does not imply it has been deemed applicable for any particular cleanup situation, or that it is preferred over other treatment or cleanup techniques. A site-specific evaluation of applicability should be considered for any product or process, whether conventional or innovative, and adequate site-specific design details must be provided in a Remedial Action Plan.

It is not a requirement that a remediation product or process obtain an acceptance from the Department in order to be proposed for use in a site-specific Remedial Action Plan, but the plan must contain information to show that it meets all applicable and appropriate rules and regulations. For *SourceKill™*, a copy of this acceptance letter containing regulatory compliance advice should be included in the appendix of each site-specific Remedial Action Plan that proposes its use.

The Department reserves the right to revoke its acceptance of a product or process if any component has been falsely represented. If you have any questions, contact Elena Compton at (850) 245-8911, at the letterhead address, or by e-mail at Elena.Compton@FloridaDEP.gov.

Sincerely,

Elena Compton, M.S., P.E.
Professional Engineer III
DBSP, FDEP
850-245-8911

Enclosure: Regulatory Information

1. Groundwater cleanup standards: The onus shall be on users of *SourceKill™* to ensure that all applicable groundwater standards or contaminated site closure criteria will be met at the time of project completion for the contaminants of concern being remediated, and any by-products produced as a result of chemical or biochemical reactions induced or assisted by *SourceKill™*. The following chapters of the Florida Administrative Code (F.A.C.) should be consulted for applicability for each project: Chapter 62-550, F.A.C., for primary and secondary water quality standards; Chapter 62-520, F.A.C., for groundwater classes, groundwater permitting, and for monitoring requirements; Chapter 62-528, F.A.C., for underground injection control, particularly Part V, for Class V, Group 4 aquifer remediation projects; Chapter 62-780 F.A.C., for cleanup criteria, allowance of alternative cleanup target levels and conditional closure requirements; and Chapter 62-777, F.A.C., for cleanup target levels.
2. Injection well permit: Per Rule 62-528.630(2)(c), F.A.C., the issuance of an enforceable, site-specific Remedial Action Plan Approval Order by the Department for injection-type aquifer remediation constitutes the granting of a Class V injection well construction/clearance permit.
3. Underground Injection Control (UIC): Remedial Action Plans proposing aquifer remediation using injection shall include the information required by Rules 62-528.630(2)(c)1. through 6., F.A.C., for the purposes of the UIC program. Reviewers of those plans, upon issuance of a Department-enforceable Remedial Action Plan Approval Order, must send this information to the UIC program in Tallahassee using the "UIC Notification" memorandum. The memorandum template is currently located on the Internet at https://floridadep.gov/sites/default/files/UIC-Notice-RemediationProducts-032411_PETROLEUM.pdf
4. General information about temporary Zones of Discharge (ZOD): For groundwater remediation, the composition of a fluid to be injected must meet the primary and secondary drinking water standards set forth in Chapter 62-550, F.A.C., and the minimum groundwater criteria of Chapter 62-520, F.A.C. [and Chapter 62-777], pursuant to UIC Rule 62-528.600(2)(d), F.A.C. Aquifer remediation products that do not meet these requirements must seek relief from water quality criteria by one of two mechanisms as follows. Permission for a temporary ZOD may be obtained via Rule 62-520.310(8)(c), F.A.C. If permission for a ZOD cannot be obtained by rule, then it will be necessary to seek a variance from Department rules in accordance with Section 120.542, Florida Statutes.

Rule 62-520.310(8)(c), F.A.C., allows for a temporary ZOD for closed-loop re-injection systems, for the prime constituents of the reagents used to remediate site contaminants, and for groundwater secondary standards. In order to obtain permission for a temporary ZOD by rule, a site-specific Remedial Action Plan must indicate: (a) the chemical ingredients of concern in the fluid to be injected that will be present in excess of groundwater standards; (b) the size of the ZOD that is needed; (c) the amount of time that the ZOD will be needed; and (d) a plan for monitoring the injected chemical ingredients of concern.

The size of the temporary ZOD will usually be the injection well radius of influence when the treatment system is a single injection point. For a multiple point system, the ZOD can usually be expressed and illustrated as the total area covered by all the injection points, located side-by-side with overlapping radii of influence.

5. Upon expiration of the time period granted for the ZOD by way of Rule 62-520.310(8)(c), F.A.C., the concentrations of the above referenced analytes must meet their respective groundwater standards or their natural-occurring background values, whichever is less stringent.

Conditional closure is also allowable provided the closure criteria of Rule 62-780.680, F.A.C., are met and there are no exceedances of a primary standard due to impurities in the product. Note that such conditional closure may require a modification of the size or duration of the ZOD. This modification must be approved in an enforceable order of the department, such as a conditional Site Rehabilitation Completion Order.

6. Site-specific Remedial Action Plans shall describe the volume and concentration of the SourceKill™ that will be injected.
7. Specific ZOD information for SourceKill™ for compliance with Rule 62-520.310(8)(c), F.A.C.:
 - a. SourceKill™ injections shall be monitored for iron, manganese, foaming agents, and TRPH (total recoverable petroleum hydrocarbons).

- b. If SourceKill™ is proposed to be delivered into the aquifer via injection wells, reviewers of Remedial Action Plans should check the box as shown below when filling out the UIC Notification memorandum:

“☐ ZOD permission by rule 62-520.310(8)(c), F.A.C., for reagent chemical species and/or parameter(s) in the fluid to be injected (or re-injected) that exceed secondary groundwater standards. ...”.

Note: If SourceKill™ is proposed to be delivered into the aquifer by means other than injection wells (for example, most excavations [except by large diameter augers], infiltration galleries, trenches, etc.), the UIC Notification memorandum is not required.

8. Quarterly monitoring should suffice in most cases. Upon expiration of the time period granted for the ZOD by way of Rule 62-520.310(8)(c), F.A.C., the concentrations of the above referenced analytes must meet their respective groundwater standards or their natural-occurring background values, whichever is less stringent, or appropriate controls are put in place to allow conditional closure under rule 62-780.680, F.A.C.
 - a. Iron, manganese, and foaming agents are secondary drinking water pollutants with the following standards: Fe = 300 ug/L (micrograms per liter), Mn = 50 ug/L, foaming agents = 500 ug/L.

Analytical method for surfactants: Per Chapter 62-550, F.A.C., Standard Method 5540 (SM 5540) can be used to determine the concentrations of surfactants in water samples. Method SM 5540 C is for the measurement of anionic surfactant concentrations, and method SM 5540 D is for the measurement of nonionic surfactant concentrations. SourceKill™ includes a nonionic surfactant in its formulation.

- b. TRPH has a groundwater minimum criterium: TRPH = 5,000 ug/L.
9. Utilization of wells: If a remediation site has sufficient monitoring wells, then the Division of Waste Management has no objection to the use of some existing monitoring wells for the injection of

SourceKill™. However, no “designated” monitoring well, dedicated to the tracking of remediation progress (by sampling) shall be used to apply *SourceKill™*. Nor shall wells used for the injection of *SourceKill™* be used as dedicated wells for tracking remediation progress. This will avoid a premature conclusion that the site meets cleanup goals. By making sure that designated tracking wells are not used for treatment, there will be more assurance that the treatment process has permeated the entire site and that it did not remain localized to the area immediately surrounding each injection well.

10. Three categories of groundwater monitoring:

- a. Active remediation monitoring for a cleanup site’s contaminants of concern: During the period of active remediation, groundwater shall be monitored in accordance with the requirements of the approved RAP as set forth in Section 62-780.700, F.A.C.
- b. Post Active Remediation Monitoring for a cleanup site’s contaminants of concern: At least one (1) year of quarterly post remediation groundwater monitoring for the contaminants of concern shall be conducted at a minimum of two (2) wells: one located in the area of highest contamination, the other at the downgradient edge of the contamination plume, pursuant to Section 62-780.750, F.A.C.
- c. Monitoring of the UIC zone of discharge: When *SourceKill™* is utilized, in order to comply with Rule 62-520.310(8)(c), F.A.C., the ZOD shall be monitored for iron, manganese, foaming agents, and TRPH, as discussed in paragraphs 7a above.

11. Injection operations:

- a. Avoidance of migration: For injection-type in-situ aquifer remediation projects, injection of *SourceKill™* shall be performed in such a way and at such a rate and volume that no migration *SourceKill™* or the contaminants of concern in the aquifer, or surface water, results pursuant to Rule 62-528.630(3), F.A.C.
 - b. Underground Injection Control operating permit: Although an operating permit is not required for aquifer remediation wells pursuant to Rule 62-528.640(1)(b) and (c), F.A.C., since no movement of the contamination plume is expected to accompany the treatment process, the Department requests that the information items listed in Rule 62-528.640(1)(b), F.A.C., be considered and included in Remedial Action Plan proposals as a matter of good and thorough design practice. Briefly summarized, they are quality of water in the aquifer, quality of the injected fluid, existing and potential uses of the affected aquifer, and well construction details.
12. Abandonment of wells: Upon issuance of a Site Rehabilitation Completion Order or a declaration of “No Further Action” in accordance with rule 62-780.680, F.A.C., injection wells shall be abandoned pursuant to Rule 62-528.645, F.A.C. The Underground Injection Control Section of the Department shall be notified so that the injection wells can be removed from the inventory-tracking list.